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OO RUEHFK RUEHKSO RUEHNH
DE RUEHKO #1212/01 1230702

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FM AMEMBASSY TOKYO

TO RUEHC/SECSTATE WASHDC IMMEDIATE 3946
INFO RUEHXP/ALL NATO POST COLLECTIVE PRIORITY
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S E C R E T SECTION 01 OF 03 TOKYO 001212

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E.O. 12958: DECL: 05/02/2023
TAGS: PREL MOPS PARM JA NATO
SUBJECT: CLUSTER MUNITIONS: JAPAN STILL WORKING CCW AND
OSLO PROCESS

Classified By: Charge d'affaires Joseph Donovan. Reasons 1.4 (b) and (d).

¶1. (S) SUMMARY: An Oslo Process agreement that criminalizes the possession of cluster munitions (CM) and/or penalizes countries that support states that possess CM could block future peacekeeping operations (PKO) and embarrass Japan during the July G-8 Hokkaido Summit, PM Deputy Assistant Secretary of State Ganyard told Ministry of Foreign Affairs (MOFA) Disarmament, Non-proliferation and Science Department Deputy Director-General Masatoshi Shimbo during an April 23 meeting in Tokyo. DDG Shimbo said Japan's policy, approved by Prime Minister Yasuo Fukuda, is unchanged. Japan continues to favor addressing humanitarian and interoperability concerns within the framework of the Convention on Certain Conventional Weapons (CCW). However, domestic political considerations and public pressure for faster action will keep Japan engaged in the Oslo Process. Shimbo admitted that the current Oslo Process draft text, which will be considered at the May Dublin conference, could be problematic for PKOs and that Japan is working hard to change the language. Tinkering with words would not be sufficient, DAS Ganyard said, as he urged Japan to strengthen its focus on the CCW. DAS Ganyard suggested Japan join the United States in upcoming diplomatic efforts to support the CCW. DDG Shimbo demurred, saying the current situation in Tokyo is not yet that critical. He warned that Japan may be forced to decide between adopting the CCW or Oslo Process text at the end of the year. End Summary.

US: Criminalizing CM Will Affect PKO, Embarrass G-8

¶2. (S) An agreement in May at the Dublin meeting of the Oslo Process that bans CM could have an embarrassing effect on the July G-8 Summit at Hokkaido's Lake Toya, Bureau of Political Military Affairs Deputy Assistant Secretary for Plans, Programs and Operations Stephen T. Ganyard told MOFA

Disarmament, Non-proliferation and Science Department Deputy Director-General Masatoshi Shimbo on April 23. G-8 nations are the main providers of monetary, human and logistical resources for PKO. However, criminalizing possession of CM and/or penalizing countries that support nations that possess CM, as called for in Articles 1(b) and 1(c) of the current Oslo draft text, will hinder, delay or prevent State Parties and Non-State Parties to the agreement from jointly engaging in PKO. The draft text will also reduce the United States' ability to protect Japan and respond to contingencies in the Pacific. The Oslo Process, which does not include the main CM users such as China, Russia and Pakistan, would not be as effective in dealing with the international community's concerns about CM as the CCW, DAS Ganyard said.

Japan Position Unchanged - Prefer CCW, Settle for Oslo

¶3. (S) DDG Shimbo said Japan's position, approved by Prime Minister Yasuo Fukuda, is unchanged. Tokyo's first priority is to reach a binding international agreement on CM within the CCW to which all of the main producers and users of CM would be party. However, domestic political realities are forcing Japan to participate in the Oslo Process. The Japanese public, media and Diet are increasingly frustrated with the slow progress within the CCW, DDG Shimbo continued, which is raising the pressure on Japanese government officials to take action. Fellow members of the ruling Liberal Democratic Party (LDP) recently grilled Foreign Minister Masahiko Koumura during Lower House debate about Tokyo's opposition to a CM ban. Lower House Speaker Yohei Kono leads a new multi-party Diet committee inaugurated on April 19 that is pushing to ban CM. Japan's Foreign and Defense Ministers understand the logic underlying the importance of CM but are also pragmatic when it comes to the domestic political realities behind calls for quick action to ban CM. (Comment: PM Fukuda's ruling LDP controls the Diet's Lower House in coalition with the New Komeito Party, a group with ties to a traditionally pacifist Japanese Buddhist sect. PM Fukuda's hold on the Japanese Government is being challenged by the opposition Democratic Party of Japan (DPJ), which controls the Diet's Upper House.)

The Need for a Stronger Public Campaign

¶4. (S) Turning to the effect of a CM ban on PKO, DDG Shimbo admitted that the current Oslo draft text could be problematic and that Japan is pushing for changes in the wording of Articles 1(b) and 1(c) and will continue to press the matter with other "Like-Minded" nations at Dublin to the fullest extent possible. DDG Shimbo expressed doubt that arguments focused on PKO would sway public opinion. Instead, Fukuda Cabinet officials would need to stress how a CM ban would reduce the ability of Japan's Self Defense Forces and U.S. Forces in Japan (USFJ) to defend Japan in order to convince the Diet and Japanese public about the importance of CM. MOFA and Ministry of Defense (MOD) officials in the meeting expressed a strong interest in receiving additional information from the United States that they can share with the Diet on the role of CM in defense of Japan. DDG Shimbo suggested that it might be time for the United States and Japan to be more public on the issues, noting that opponents of CM are engaging in an active public relations campaign. Embassy Tokyo Political Officer suggested that the Embassy and USFJ might be willing to consider a Foreign Ministry request to coordinate on public relations and outreach efforts with the Diet and general public. DDG Shimbo pledged to consider providing a list of possible activities for the U.S. Government's consideration.

United States Will Raise Prominence of Issue

¶5. (S) DAS Ganyard told DDG Shimbo that simple tinkering with

the language would not be sufficient, as any ban on CM envisioned by the Oslo Process would negatively affect interoperability and PKOs. The United States is gearing up for a prominent diplomatic campaign to highlight the seriousness of the issue. The Secretary planned to write letters to Foreign Ministers and to the UN Secretary General asking that the UN reinforce the importance of keeping discussion of CM within the CCW. Ambassadors in Washington will be called in for meetings at the Under Secretary level. DAS Ganyard asked that Japan also consider writing a letter to the UN Secretary General, urging him to oppose any agreement that would hinder, prevent or delay PKOs.

Japan May Decide Between Two Documents

¶6. (S) DDG Shimbo said he would consider and convey the proposal to his superiors, but was not optimistic considering the bipartisan domestic support for banning CM. The current situation is not yet that critical. Although the Oslo Process participants in Dublin may reach basic agreement on the text, and Japan will not be in a position to object, the text will not be formally adopted and would not be binding. In the meantime, negotiations in the CCW will continue. The real turning point will be at the end of 2008, when Japan may be forced decide between the CCW and Oslo Process texts. At that time Japan will need to balance its national interests and relations with important allies to decide one or the other. For now, Japan is making every effort to strengthen the CCW and to modify the Oslo Process text to mitigate any potential harmful affects on interoperability, DDG Shimbo concluded.

¶7. (U) Principal Deputy Coordinator for Reconstruction and Stabilization Mark Asquino, USFJ representatives J-5 COL Born, J-5 LTC Hague, and Embassy Tokyo officers accompanied DAS Ganyard. MOFA and MOD Japan personnel joined DDG Shimbo.

¶8. (U) This cable as been approved by DAS Ganyard.
DONOVAN